

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Mary Manuell, o/b/o,
Christopher Manuell,

Plaintiff,

v.

Commissioner of Social Security,

Defendant.

Case No.: 1:11-cv-264

Judge Michael R. Barrett

ORDER

This matter is before the Court on the Report and Recommendation ("Report") filed by Magistrate Judge Karen L. Litkovitz on November 14, 2011 (Doc. 8), and Defendant's corresponding Motion to Dismiss Plaintiff's Complaint (Doc. 4). Proper notice has been given to the parties under Rule 72(b) of the Federal Rules of Civil Procedure, including notice that the parties would waive further appeal if they failed to file objections to the Report in a timely manner.¹ See *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981). No objection to the Report has been filed.

Having reviewed this matter de novo, this Court finds the Report to be correct. Accordingly, it is **ORDERED** that the Report is hereby **ADOPTED** in full. As the Report recommends (Doc. 8, 6), Defendant's motion to dismiss (Doc. 4) is **DENIED**, and the Commissioner is **ORDERED** to file an answer to the complaint within sixty days of this order being docketed.

IT IS SO ORDERED.

s/Michael R. Barrett
United States District Judge

¹ Notice was attached to the Report regarding objections. (Doc. 8, 7.)